



**Hundredth Legislature - First Session - 2007**  
**Revised Committee Statement**  
**LB 263**

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**Hearing Date:** January 19, 2007  
**Committee On:** Natural Resources

**Introducer(s):** (Hudkins, 21)

**Title:** Change permit provisions under the Integrated Solid Waste Management Act

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**Roll Call Vote – Final Committee Action:**

- Advanced to General File
  - X Advanced to General File with Amendments
  - Indefinitely Postponed
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**Vote Results:**

8	Yes	Senators Carlson, Christensen, Dubas, Fischer, Hudkins, Kopplin, Louden, Wallman
0	No	
0	Present, not voting	
0	Absent	

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**Proponents:**

Senator Carol Hudkins  
Bill Upman  
Kelly Danielson  
Gary Lund

Gary Krumland  
Gene Hanlon

**Opponents:**

None

**Neutral:**

David Haldeman

**Representing:**

Introducer  
Waste Management of Nebraska, Inc.  
Waste Connections of Nebraska  
City of Norfolk; Nebraska Cornhusker Chapter of SWANA  
League of Nebraska Municipalities  
City of Lincoln

**Representing:**

**Representing:**

Department of Environmental Quality

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**Summary of purpose and/or changes:**

The purpose of LB 263 is to eliminate the requirement for a public notice and hearing for any solid waste facility that is requesting minor changes to its permit.

Section 1      States that minor modifications shall not require a public notice or hearing.

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- (5) Minor modifications that require director approval but do not require public notice or hearing are:
- a. correction of typographical errors;
  - b. changes of names, addresses or telephone numbers identified in the application;
  - c. administrative or informational changes;
  - d. changes for maintaining records;
  - e. changes for more frequent monitoring;
  - f. request for a compliance date extension if the extension is not more than 120 days after the specified date;
  - g. changes to the cost estimates or the financial assurance instrument;
  - h. changes in the closure schedule or an extension of the closure schedule;
  - i. changes to the days or hours of operation if the hours are within the period from 6:00 a.m. to 8:00 p.m.;
  - j. changes to the contingency plan;
  - k. changes in sampling or analysis methods;
  - l. changes in quality control or quality assurance plans which will better ensure that the specifications for construction, closure, sampling or analysis will be met;
  - m. changes in the facility plan of operation which conform to guidance or rules approved by the Environmental Quality Council or provide more efficient waste handling or more effective waste screening;
  - n. replacement of an existing monitoring well if location is not changed;
  - o. changes in the design or depth of monitoring well that provide more effective monitoring; or
  - p. changes in the statistical method used to analyze the ground water quality data.

Section 2 Repealer.

**Explanation of amendments, if any:**

The committee amendment to LB 263 becomes the bill. It retains the purposes of the bill but adds clarification. The purpose of this bill is to eliminate the requirement for a public notice and hearing for any solid waste facility that is requesting minor changes to its permit, so long as the director of the Department of Environmental Quality finds that the public health and welfare will not be endangered.

Section 1 States that minor modifications shall not require a public notice or hearing but do require departmental approval.

- (5) Minor modifications that require director approval but do not require public notice or hearing are:

- a. correction of typographical errors;
- b. changes of names, addresses or telephone numbers identified in the application;
- c. administrative or informational changes;
- d. changes for maintaining records;
- e. changes for more frequent monitoring;
- f. request for a compliance date extension if the extension is not more than 120 days after the specified date;
- g. adjustments to the cost estimates or the financial assurance instrument for inflation;
- h. changes in the closure schedule or an extension of the closure schedule;
- i. changes to the days or hours of operation if the hours are within the period from 6:00 a.m. to 8:00 p.m.;
- j. changes to the contingency plan;
- k. changes which improve sampling or analysis methods, procedures, or schedules;
- l. changes in quality control or quality assurance plans which will better ensure that the specifications for construction, closure, sampling or analysis will be met;
- m. changes in the facility plan of operation which conform to guidance or rules approved by the Environmental Quality Council or provide more efficient waste handling or more effective waste screening;
- n. replacement of an existing monitoring well if location is not changed;

Section 2      Repealer.

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**Senator LeRoy Loudon, Chairperson**